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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,280	03/06/2002	Aristides Franca Neto	71364-0002	5590

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EXAMINER

LEE, DIANE I

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 03/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/091,280

Applicant(s)

NETO, ARISTIDES FRANCA

Examiner

D. I. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Claims 1-19 are presented for examination.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1, 8-10, 15-16, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Toader et al. [US 5,749,075-referred as Toader].**

Re claims 1, 8-10, and 15: Toader discloses a card (not specifically shown) with information thereon, comprising:

a plurality of information including:

a toll free telephone number along with instruction thereon capable of being used to connect a computer device to an Internet service provider via a telephone connection and a global computer network (see col. 2, lines 55+ and col. 5, lines 28+);

a code (PIN account number which is an alpha-numeric symbol), wherein said code can be used as a password for enabling said computer device to be connected to said global computer

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network, and providing access to an account of predetermined credited allotted time associated with the code (see col. 2, lines 55+; col. 3, lines 1+; and col. 6, lines 40+); and

a predetermined amount of Internet access time (i.e., indicating the amount of time that has been allocated to said account), wherein the time allocated to the account determines how long the computer can remain connected to said global computer network (see col. 2, lines 55+; col. 3, lines 1+).

Re claim 16: Toader teaches the method of providing multiple cards and each having a different PIN account code (see abstract lined 1-3).

Re claim 19: wherein the predetermined amount of time allocated to the account can be adjusted (see col. 6, lines 40+).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 18 rejected under 35 U.S.C. 103(a) as being unpatentable over Toader.** The teachings of Toader have been discussed above.

Although Toader teaches providing a notification that the amount of time is expired (i.e., once the prepaid time period is up, the system prompts the user with options for extending the access period, see col. 3, lines 45+); Toader does not give the notification when the amount of time is about to expire.

However, It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to provide the notification prior to the amount of time is expired such that user have

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greater time to make a decision in extending the access period. Accordingly, it would have been an obvious extension taught by Toader.

7. **Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toader in view of Tarbutton et al. [US 2001/0037209 A1].** The teachings of Toader have been discussed above.

Although Toader teaches that card include instructions on getting Internet access software, which is related information regarding the Internet service provider; and the fact that applicant has not explicitly define what is connective identification, the instruction providing the related information regarding the Internet service provider (i.e., the Internet access software associated with the specific Internet provider would also have to identify the specific identity of the type of the domain sponsor) would also include connective identification; Toader is silent with respect to the specifics of the card having connective identification.

Tarbutton teaches a prepaid card provided with a connective identification, i.e., a website address (see par. 21)

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to explicitly provide detail information regarding the connective identification information in order to provide a card with the comprehensive data regarding the type of the Internet service provider and/or the type of the domain sponsor.

8. **Claims 4-7, 11-14, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toader in view of Thompson et al. [US 2004/001164-referred as Thompson].** The teachings of Toader have been discussed above.

Re claims 4-6 and 11-14: Toader fails to disclose the card having a removable protective cover provided to conceal the information on the code.

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Thompson teaches a pre-paid card having a removable protective cover (i.e., a layer of removable scrape paint) provided to conceal the information on the access code 22 (see par. 20 and figure 1) and wherein the layer of removable scrape paint obviously encompasses the scratch-off paint, other scratch-off material, and a peel-off paint.

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to provide a layer of removable scrape paint as a removable protective cover in order to protect the access code from unauthorized user.

Re claim 7: Toader fails to teach one or more removable protective covers provided to conceal the information on the plurality of portion.

Thompson teaches a pre-paid card having a plurality of removable protective covers to conceal the plurality of information (see par. 20 and figure 1).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to provide a plurality of removable protective covers to conceal the information on the plurality portions of information that provide an Internet access to unauthorized user. Such modification would further restrict the access to the Internet to the fraudulent users.

Re claim 17: Toader teaches the prepaid card for multiple purpose, i.e., for accessing limited Internet time and for time limited long distance calls, each having predetermined amount of time allocated thereto, e.g., while the Internet access can be for 1 or 2 hours and a long distance time period could be 30 minutes, respectively. Toader does not teach the card having multiple access codes assigned to different accounts.

Thompson teaches a pre-paid card having a plurality of access codes (figure 1).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the teaching of Thompson of single card having a multiple access code in the teaching of Toader to provide multiple access code each having predetermined amount of time allocated

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thereto in order to provide a card with multiple independent pre-paid function, i.e., the user can utilize the card with long distance call as well as accessing Internet.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

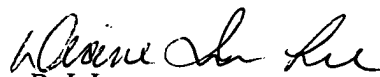
Oncken [US 4,725,712] teaches a pre-paid card with instruction; and

Liu [US 6,438,220], Baehrle [DE 199 12 127], Takagawa [JP 10-222446], Wakamoto [JP 11-22385], Pascal [JP 11-345296], and Werner [DE 297 11 078] teach a prepaid card used for accessing Internet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. I. Lee whose telephone number is (571) 272-2399. The examiner can normally be reached on Monday through Thursday from 5:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


D. I. Lee
Primary Examiner
Art Unit 2876

D. L.